

1–28–02 Vol. 67 No. 18 Pages 3811–4166 Monday Jan. 28, 2002



The **FEDERAL REGISTER** is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition.

The Federal Register provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see http://www.nara.gov/fedreg.

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the Federal Register shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and it includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

GPO Access users can choose to retrieve online **Federal Register** documents as TEXT (ASCII text, graphics omitted), PDF (Adobe Portable Document Format, including full text and all graphics), or SUMMARY (abbreviated text) files. Users should carefully check retrieved material to ensure that documents were properly downloaded.

On the World Wide Web, connect to the **Federal Register** at http://www.access.gpo.gov/nara. Those without World Wide Web access can also connect with a local WAIS client, by Telnet to swais.access.gpo.gov, or by dialing (202) 512–1661 with a computer and modem. When using Telnet or modem, type swais, then log in as guest with no password.

For more information about GPO Access, contact the GPO Access User Support Team by E-mail at gpoaccess@gpo.gov; by fax at (202) 512–1262; or call (202) 512–1530 or 1–888–293–6498 (toll free) between 7 a.m. and 5 p.m. Eastern time, Monday–Friday, except Federal holidays.

The annual subscription price for the Federal Register paper edition is \$699, or \$764 for a combined Federal Register, Federal Register Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the Federal Register including the Federal Register Index and LSA is \$264. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$10.00 for each issue, or \$10.00 for each group of pages as actually bound; or \$2.00 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 25% for foreign handling. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 67 FR 12345.

Printed on recycled paper.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202–512–1800
Assistance with public subscriptions 202–512–1806

General online information 202–512–1530; 1–888–293–6498

Single copies/back copies:

Paper or fiche
Assistance with public single copies
202–512–1800
1–866–512–1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202–523–5243
Assistance with Federal agency subscriptions 202–523–5243

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to http://listserv.access.gpo.gov and select:

Online mailing list archives FEDREGTOC-L Join or leave the list

Then follow the instructions.

FEDERAL REGISTER WORKSHOP

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

 $\textbf{FOR:} \qquad \text{Any person who uses the } \textbf{Federal Register} \text{ and Code of Federal}$

Regulations.

WHO: Sponsored by the Office of the Federal Register.

 $\textbf{WHAT:} \quad \text{Free public briefings (approximately 3 hours) to present:} \\$

- The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
- 2. The relationship between the **Federal Register** and Code of Federal Regulations.
- 3. The important elements of typical **Federal Register** documents.

4. An introduction to the finding aids of the FR/CFR system.
WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them.
There will be no discussion of specific agency regulations.

WASHINGTON, DC

WHEN: January 30, 2002—9:00 a.m. to noon

WHERE: Office of the Federal Register

Conference Room

800 North Capitol Street, NW.

Washington, DC

(3 blocks north of Union Station Metro)

RESERVATIONS: 202–523–4538; or

info@fedreg.nara.gov

Contents

Federal Register

Vol. 67, No. 18

Monday, January 28, 2002

Agriculture Department

See Animal and Plant Health Inspection Service

See Forest Service

See Grain Inspection, Packers and Stockyards Administration

Air Force Department

NOTICES

Environmental statements; availability, etc.: Langley Air Force Base, VA; Initial F-22 Operational

Wing of F-22 Raptors, 3883

Privacy Act:

Systems of records, 3883-3886

Animal and Plant Health Inspection Service NOTICES

Reports and guidance documents; availability, etc.: Noxious Weeds Program action plan, 3874–3875

Census Bureau

NOTICES

Agency information collection activities:

Proposed collection; comment request, 3876-3877

Centers for Disease Control and Prevention NOTICES

Agency information collection activities:

Submission for OMB review; comment request, 3900–3901

Grant and cooperative agreement awards:

American Academy of Pediatrics, 3901-3902

Coast Guard

RULES

Ports and waterways safety:

Chesapeake Bay entrance and Hampton Roads, VA; regulated navigation area, 3812–3814
San Pedro Bay, CA; security zones, 3814–3816

Commerce Department

See Census Bureau

See International Trade Administration

See National Oceanic and Atmospheric Administration ${\bf NOTICES}$

Agency information collection activities:

Submission for OMB review; comment request, 3875–3876

Commodity Futures Trading Commission NOTICES

Contract market proposals:

Kansas City Board of Trade—

Hard red winter wheat, 3881-3882

Corporation for National and Community Service NOTICES

Meetings; Sunshine Act, 3882

Defense Department

See Air Force Department

NOTICES

Grants and cooperative agreements; availability, etc.: National Security Education Program; institutional grants, 3882–3883

Delaware River Basin Commission

NOTICES

Meetings and hearings, 3886-3888

Education Department

NOTICES

Meetings:

National Assessment Governing Board, 3888

Energy Department

See Energy Efficiency and Renewable Energy Office See Federal Energy Regulatory Commission

Energy Efficiency and Renewable Energy Office NOTICES

Meetings:

Federal Energy Management Advisory Committee, 3888–3889

Environmental Protection Agency

RULES

Air quality implementation plans; approval and promulgation; various States:

California, 3816–3820

Indiana; withdrawn, 3816

PROPOSED RULES

Air quality implementation plans; approval and promulgation; various States:

California, 3849

NOTICES

Meetings:

Clean Air Act Advisory Committee, 3897

Reports and guidance documents; availability, etc.:

Particulate matter risk analysis methodology document; comment request, 3897–3898

Superfund; response and remedial actions, proposed settlements, etc.:

Liberty Industrial Finishing Site, NY, 3898

White Bridge Road Site, NJ, 3898

Executive Office of the President

See Trade Representative, Office of United States

Federal Aviation Administration

PROPOSED RULES

Airworthiness directives: Honeywell, 3844–3846

Federal Deposit Insurance Corporation

NOTICES

Meetings; Sunshine Act, 3898-3899

Federal Emergency Management Agency NOTICES

Disaster and emergency areas: New York, 3899

Federal Energy Regulatory Commission NOTICES

Electric rate and corporate regulation filings: FPL Energy Marcus Hook, L.P., et al., 3890–3892 Portland General Electric Co. et al., 3892–3893

Environmental statements; availability, etc.:

Atlanta Power Co.-Idaho, 3894 Meetings; Sunshine Act, 3894–3897

Applications, hearings, determinations, etc.:

Conectiv Bethlehem, Inc., 3889 Coral Canada US Inc., 3889 HC Power Marketing LLC, 3890

Federal Railroad Administration

NOTICES

Exemption petitions, etc.:

Burlington Northern & Santa Fe Railway Co., 3931

Federal Reserve System

NOTICES

Agency information collection activities:

Discontinuance, 3933-3934

Fish and Wildlife Service

PROPOSED RULES

Endangered and threatened species:

Critical habitat designations—

Newcomb's snail, 3849-3867

Various plants from Kauai and Niihau, HI, 3939–4098

NOTICES

Environmental statements; availability, etc.:

Incidental take permits—

Williamson County, TX; Bone Cave harvestman, 3907–3908

Meetings:

Aquatic Nuisance Species Task Force, 3908

Food and Drug Administration

NOTICES

Agency information collection activities:

Proposed collection; comment request, 3902–3904

Forest Service

NOTICES

Meetings:

Land Between the Lakes Advisory Board, 3875

Grain Inspection, Packers and Stockyards Administration NOTICES

Agency designation actions:

Iowa, 3875

Health and Human Services Department

See Centers for Disease Control and Prevention See Food and Drug Administration See National Institutes of Health

NOTICES

Meetings:

Complementary and Alternative Medicine Policy, White House Commission, 3899–3900

Housing and Urban Development Department NOTICES

Agency information collection activites:

Reporting and recordkeeping requirements, 3907 Terrorist attacks of September 11, 2001; statutory and regulatory waivers granted to New York State for recovery, 4163–4166

Indian Affairs Bureau PROPOSED RULES

Economic enterprises:

Gaming on tribal lands acquired after October 17, 1988; determination procedures; correction, 3846

Interior Department

See Fish and Wildlife Service
See Indian Affairs Bureau
See Land Management Bureau
See Surface Mining Peoplemetics and Fi

See Surface Mining Reclamation and Enforcement Office

Internal Revenue Service

RULES

Income taxes:

Stock and other personal property disposition; recognized loss allocation and foreign tax credit limitation computation; correction, 3811–3812

PROPOSED RULES

Income taxes, etc.:

Statutory stock options; Federal Insurance Contributions Act, Federal Unemployment Tax Act, and income tax collection at source; application; hearing, 3846–3847

NOTICES

Agency information collection activities:

Proposed collection; comment request, 3932-3933

International Trade Administration

NOTICES

Antidumping:

Carbon and alloy steel wire rod from— Various countries, 3877–3878 Cased pencils from—

China, 3878–3879

Labor Department

See Occupational Safety and Health Administration

Land Management Bureau

NOTICES

Agency information collection activities:

Submission for OMB review; comment request, 3908–3909

Coal leases, exploration licenses, etc.:

Wyoming, 3909-3910

Committees; establishment, renewal, termination, etc.:

Utah Resource Advisory Council, 3910

Environmental statements; notice of intent:

Grand Staircase-Escalante National Monument, UT, 3910–3911

Meetings:

Colorado Canyons National Conservation Area Advisory Council, 3911

Oil and gas leases:

Colorado, 3911

Wyoming, 3911–3912

Merit Systems Protection Board

RULES

Practice and procedure:

Case suspension procedures, 3811

National Council on Disability

NOTICES

Meetings; Sunshine Act, 3916-3917

National Highway Traffic Safety Administration NOTICES

Agency information collection activities:

Submission for OMB review; comment request, 3931–3932

National Institutes of Health

NOTICES

Inventions, Government-owned; availability for licensing, 3904–3905

Meetings:

Fogarty International Center Advisory Board, 3905

National Institute of Child Health and Human

Development, 3907

National Institute of General Medical Sciences, 3905–3907

National Oceanic and Atmospheric Administration RULES

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—

Groundfish; reporting and recordkeeping requirements, 4099–4161

Pollock, 3825

West Coast States and Western Pacific fisheries—

Pacific Coast groundfish; correction, 3820–3824

PROPOSED RULES

International fisheries regulations:

Pacific halibut—

Guided recreational fishery; guideline harvest levels, 3867–3873

NOTICES

Agency information collection activities:

Proposed collection; comment request, 3879–3881

National Science Foundation

NOTICES

Agency information collection activities:

Submission for OMB review; comment request, 3917

Nuclear Regulatory Commission NOTICES

Applications, hearings, determinations, etc.: Earthline Technologies, 3917–3918

Occupational Safety and Health Administration NOTICES

Nationally recognized testing laboratories, etc.: Intertek Testing Services, NA, Inc., 3912–3913 TUV Rheinland of North America, Inc., 3913–3916

Office of United States Trade Representative

See Trade Representative, Office of United States

Postal Rate Commission

NOTICES

Domestic rates, fees, and mail classifications:

First-Class Mail service standards; complaint filed, 3918–3921

Public Health Service

See Centers for Disease Control and Prevention

See Food and Drug Administration

See National Institutes of Health

Securities and Exchange Commission NOTICES

Self-regulatory organizations; proposed rule changes: American Stock Exchange LLC, 3921–3923 National Association of Securities Dealers, Inc., 3923–3927

National Association of Securities Dealers, Inc.; correction, 3937

Philadelphia Stock Exchange, Inc., 3927-3929

Small Business Administration

PROPOSED RULES

HUBZone program:

Miscellaneous amendments, 3826-3844

Surface Mining Reclamation and Enforcement Office PROPOSED RULES

Permanent program and abandoned mine land reclamation plan submissions:

Kentucky, 3847-3849

Surface Transportation Board

NOTICES

Railroad operation, acquisition, construction, etc.:

Martin Marietta Materials, Inc., 3932

Thrift Supervision Office

NOTICES

Agency information collection activities:

Discontinuance, 3933-3934

Trade Representative, Office of United States NOTICES

Committees; establishment, renewal, termination, etc.: NAFTA Chapter Twenty roster, 3929–3930

Transportation Department

See Coast Guard

See Federal Aviation Administration

See Federal Railroad Administration

See National Highway Traffic Safety Administration

See Surface Transportation Board

NOTICES

Aviation proceedings:

Agreements filed; weekly receipts, 3930

Certificates of public convenience and necessity and foreign air carrier permits; weekly applications, 3930–3931

Treasury Department

See Internal Revenue Service See Thrift Supervision Office

Veterans Affairs Department NOTICES

Agency information collection activities:

Proposed collection; comment request, 3934–3935 Submission for OMB review; comment request, 3935–3936

Separate Parts In This Issue

Part II

Interior Department, Fish and Wildlife Service, 3939–4098

Part III

Commerce Department, National Oceanic and Atmospheric Administration, 4099–4161

Part IV

Housing and Urban Development Department, 4163-4166

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws. To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to http://listserv.access.gpo.gov and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

5 CFR 1201	.3811
13 CFR Proposed Rules: 121125126126	.3826
14 CFR	
Proposed Rules: 39	.3844
25 CFR	
Proposed Rules: 292	.3846
26 CFR 1	.3811
Proposed Rules: 131	
30 CFR	
Proposed Rules: 917	.3847
33 CFR 165 (2 documents)	3812, 3814
40 CFR 52 (3 documents)3816, Proposed Rules:	3819
52	.3849
50 CFR 600	.3820 .3820
Proposed Rules: 17 (2 documents)3849, 300	3940